

IN THE
COURT OF CRIMINAL APPEALS
OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
10/31/2019
DEANA WILLIAMSON, CLERK

JAMES RAY HAGGARD

§

§

VS.

§

CAUSE NO. PD-0635-19

§

STATE OF TEXAS

§

**MOTION TO EXTEND TIME TO FILE
APPELLANT'S MERITS BRIEF ON DISCRETIONARY REVIEW**

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

James Ray Haggard, appellant, files this Motion To Extend Time To File Appellant's Merits Brief On Discretionary Review, and would show as follows:

I.

The Court granted discretionary review on September 25, 2019. It ordered appellant to file his merits brief within 30 days. Counsel for appellant first read the briefing schedule on September 26 and mistakenly calculated the 30-day deadline as Saturday, October 26, instead of Friday, October 25. As a result, counsel calendared the due date for the brief on Monday, October 28, the first business day after October 26. He electronically filed the brief on October 28 and has received notice that the filing was submitted but not that the Court accepted the filing.

Counsel checked the Court's website on October 30 to determine if appellant's brief was entered onto the docket page. That is when he first discovered that the brief was due on October 25, not October 26 or 28.

II.

This Court may extend the time to file a brief if a party files a motion complying with Rule of Appellate Procedure 10.5(b). Appellant has not sought a previous extension of time to file his brief. Appellant requests that the Court grant a three-day extension of time from October 25 to October 28 to file his brief.

CONCLUSION

Appellant requests a three-day extension of time to file his brief.

Respectfully submitted,

/s/ Josh Schaffer

Josh Schaffer
State Bar No. 24037439

1021 Main, Ste. 1440
Houston, Texas 77002
(713) 951-9555
(713) 951-9854 (facsimile)
josh@joshschafferlaw.com

Attorney for Appellant
JAMES RAY HAGGARD

CERTIFICATE OF SERVICE

I served a copy of this document on Stephen C. Taylor, assistant district attorney for Liberty County, and on Stacey M. Soule, State Prosecuting Attorney, by electronic service on October 30, 2019.

/s/ Josh Schaffer

Josh Schaffer